

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF NEW YORK

In re

SKS Bottle and Packaging, Inc.,

Debtor.

Chapter 11  
Case No. 24-11283

**NOTICE OF DETERMINATION OF SUCCESSFUL BIDDER**

**PLEASE TAKE NOTICE OF THE FOLLOWING:**

1. On February 26, 2025, the United States Bankruptcy Court for the Northern District of New York (the “Court”) entered an order [ECF No. 55] (the “Bidding Procedures Order”), approving, among other things, the fixing of cure amounts (the “Cure Amounts”) related to SKS Bottle and Packaging, Inc., (the “Debtor”) assumption, assignment and/or transfer of certain executory contracts, unexpired leases, and other agreements (each, an “Executory Contract” and collectively the “Assumed Executory Contracts”) in connection with the proposed sale of substantially all of the Debtor’s assets (the “Acquired Assets”).

2. On February 27, 2025, the Debtor served the Notice of Assumption, Assignment and/or Transfer [ECF No. 59] upon all counterparties to the Executory Contracts and Unexpired Leases identified therein. On March 5, 2025, the Debtor served written notice of its decision to exclude certain contracts from the Acquired Assets that are being sold. Subject to the approval of the Bankruptcy Court at the Sale Hearing, the Debtor intends to assume and assign to the Successful Bidder only the Executory Contracts and Unexpired Leases identified on the attached Exhibit A. Pursuant to the Bidding Procedures Order, the non-debtor parties to the Executory Contracts and Unexpired Leases may raise at the Sale Hearing (as defined below) an objection to the assumption, assignment and/or transfer of such Executory Contract or Unexpired Lease solely on the issue of whether the Successful Bidder can provide adequate assurance of future performance, as required by section 365 of the Bankruptcy Code.

3. The offer submitted by the Stalking Horse Purchaser, Pipeline Packaging Corporation, was the only Qualified Bid for the Acquired Assets prior to the Bid Deadline. Accordingly, no Auction will be held for the Acquired Assets and Pipeline Packaging Corporation has been deemed to be the Successful Bidder.

4. The Sale Hearing to consider approval of the sale of the Acquired Assets free and clear of all liens, claims, and encumbrances will be held before the Honorable Robert E. Littlefield, Jr., U.S. Bankruptcy Judge, or such other judge as may be sitting in his stead at the United States Bankruptcy Court for the Northern District of New York, James T. Foley Courthouse, 445 Broadway, Albany, New York, the hearing may also be accessed

telephonically by telephone via call-in number: 518-217-2288; and Conference ID: 939500229#, on **March 12, 2025 at 10:30 a.m.** (prevailing Eastern time), or at such other time thereafter as counsel may be heard.

5. Copies of the Bidding Procedures Order and other relevant documents can be found on the Court's electronic case filing (ECF) website, <https://ecf.nynb.uscourts.gov>, and are on file with the Clerk of the Bankruptcy Court, 445 Broadway, Albany, New York 12207.

Dated: March 6, 2025  
Albany, New York

WHITEMAN OSTERMAN & HANNA LLP

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Exhibit A - Assumed Executory Contracts

“PayPal Agreement - Amendment to PayPal Agreement” dated 10/14/2020 by and between SKS Bottle and Packaging, Inc. and PayPal. Cure Amount: \$0.00

“Carrier Agreement” dated 03/07/2023 by and between SKS Bottle and Packaging, Inc. and UPS. Cure Amount: \$0.00